

PAKISTAN OR THE PARTITION OF INDIA

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PART IV PAKISTAN AND THE MALAISE

The Hindu-Muslim problem has tow aspects to it. In its first aspect, the problem that presents itself is the problem of two separate communities facing each other and seeking adjustment of their respective right and privileges. In its other aspect, the problem is the problem of the reflex influences which this separation and conflict produces upon each of them. In the course of the foregoing discussion we have looked at the project of Pakistan in relation to the first of the aspects of the Hindu-Muslim problem. We have not examined the project of Pakistan in relation to the second aspect of that problem. Yet, such an examination is necessary because that aspect of the Hindu-Muslim problem is not unimportant. It is a very superficial if not an incomplete view to stop with the problem of the adjustment of their claims. It cannot be overlooked that their lot is cast together as such they have to participate in a course of common activity whether they like it or not. And if in this common activity they face each other as two combatants do, then their actions and reactions are worth study, for they affect both and produce a state of affairs from which if it is a deceased state, the question of escape must be faced. A study of the situation shows that the actions and reactions have produced a malaise which exhibits itself in three ways :(1) Social Stagnation, (2) Communal Aggression, and (3) National Frustration of Political 'Destiny. This malaise is a grave one. Will Pakistan he a remedy for the malaise ? Or, will it aggravate the malaise ? The following chapters are devoted to the consideration of these questions.

CHAPTER X SOCIAL STAGNATION

I

The social evils which characterize the Hindu Society, have been well

known. The publication of *Mother India* by Miss Mayo gave these evils the widest publicity. But while *Mother India* served the purpose of exposing the evils and calling their authors at the bar of the world to answer for their sins, it created the unfortunate impression throughout the world that while the Hindus were grovelling in the mud of these social evils and were conservative, the Muslims in India were free from them, and as compared to the Hindus, were a progressive people. That, such an impression should prevail, is surprising to those who know the Muslim Society in India at close quarters.

One may well ask if there is any social evil which is found among the Hindus and is not found among the Muslims ?

Take child-marriage. The Secretary of the Anti-Child-marriage Committee, constituted by the All-India Women's Conference, published a bulletin which gives the extent of the evil of child-marriage in the different communities in the country. The figures which were taken from the Census Report of 1931 areas follows :—

TABLE
MARRIED FEMALES AGED 0-15 PER 1000 FEMALES OF THAT AGE

Can the position among the Musalmans so far as child-marriage goes, be

	Hind us	Musli ms	Jai ns	Sikh s	Christi ans
1881	208	153	189	170	33
1891	193	141	172	143	37
1901	186	131	164	101	38
1911	184	123	130	88	39
1921	170	111	117	72	32
1931	199	186	125	80	43

considered better than the position among the Hindus ?

Take the position of women. It is insisted by Muslims that the legal rights given to Muslim women, ensure them a greater measure of independence than allowed to other Eastern women, for example, Hindu women, and are in excess of the rights given to women in some Western countries. Reliance is placed on some of the provisions of the Muslim Law.

Firstly, it is said the Muslim Law does not fix any age for marriage, and recognizes the right of a girl to marry any time. Further, except where the marriage is celebrated by the father or the grandfather, a Muslim girl, if given in marriage in childhood, has the power to repudiate her marriage on attaining puberty.

Secondly, it is held out that marriage among the Musalmans is a contract. Being a contract, the husband has a right to divorce his wife and the Muslim Law has provided ample safeguards for the wife which, if availed of, would place the Muslim wife on the same footing as the husband in the matter of divorce. For, it is claimed that the wife under the Muslim Law can, at the time of the marriage, or even thereafter in some cases, enter into a contract by which she may under certain circumstances obtain a divorce.

Thirdly, the Mahomedan Law requires that a wife can claim from her husband, by way of consideration for the surrender of her person, a sum of money or other property—known as her "dower". The dower may be fixed even after marriage and if no amount is fixed, the wife is entitled to proper dower. The amount of dower is usually split into two parts, one is called "prompt" which is payable on demand, and the other "deferred" which is payable on dissolution of marriage by death or divorce. Her claim for dower will be treated as a debt against the husband's estate. She has complete dominion over her dower which is intended to give her economic independence. She can remit it or she can appropriate the income of it as she pleases.

Granting all these provisions of law in her favour, the Muslim woman is the most helpless person in the world. To quote an Egyptian Muslim leader :—

"Islam has set its seal of inferiority upon her, and given the sanction of religion to social customs which have deprived her of the full opportunity for self-expression and development of personality."

No Muslim girl has the courage to repudiate her marriage, although it may be open to her on the ground that she was a child and that it was brought about by persons other than her parents. No Muslim wife will think it proper to have a clause entered into her marriage contract reserving her the right to divorce. In that event, her fate is "once married, always married." She cannot escape the marriage tie, however irksome it may be. While she cannot repudiate the marriage, the husband can always do it without having to show any cause. Utter the word "*Talak*" and observe continence for three weeks and the woman is cast away. The only restraint on his caprice is the obligation to pay dower. If the dower has already been remitted, his right to divorce is a matter of his sweet will.

This latitude in the matter of divorce destroys that sense of security which is so fundamental for a full, free and happy life for a woman. This insecurity of life, to which a Muslim woman is exposed, is greatly augmented by the right of polygamy and concubinage, which the Muslim Law gives to the husband.

Mahomedan Law allows a Muslim to marry four wives at a time. It is not unoften said that this is an improvement over the Hindu Law which places no

restriction on the number of wives a Hindu can have at any given time. But it is forgotten that in addition to the four legal wives, the Muslim Law permits a Mahomedan to cohabit with his female slaves. In the case of female slaves nothing is said as to the number. They are allowed to him without any restriction whatever and without any obligation to marry them.

No words can adequately express the great and many evils of polygamy and concubinage and especially as a source of misery to a Muslim woman. It is true that because polygamy and concubinage are sanctioned, one must not suppose they are indulged in by the generality of Muslims; still the fact remains that they are privileges which are easy for a Muslim to abuse to the misery and unhappiness of his wife. Mr. John J. Pool, no enemy of Islam, observes ¹:—

"This latitude in the matter of divorce is very greatly taken advantage of by some Mohamedans. Slohart, commenting on this subject in his book, *Islam, and its Founder*, says: ' Some Mohamodans make a habit of continually changing their wives. We read of young men who have had twenty and thirty wives, a new one every three months: and thus it comes about that women are liable to be indefinitely transferred from one man to another, obliged to accept a husband and a home whenever they can find one, or in case of destitution, to which divorce may have driven them, to resort to other more degrading means of living. Thus while keeping the strict letter of the law, and possessing only one or certainly not more than four wives, unscrupulous characters may yet by divorce obtain in a lifetime as many wives as they please.

" In another way also a Mohammedan may really have more than four wives, and yet keep within the law. This is by means of living with concubines, which the Koran expressly permits. In that *sura* which allows four wives, the words are added, ' of the slaves which ye shall have acquired.' Then *in* the 70th *suru*. it is revealed that it is no sin to live with slaves. The very words are: ' The slaves which their right hands possess, as to them they shall be blameless.' At the present day, as in days past, in multitudes of Mohamedan homes, slaves are found; as Muir says, in his *Life of Mahomet* ' so long as this unlimited permission of living with their female slaves continues, it cannot be expected that there will be any hearty attempt to put a stop to slavery in Mohamedan countries.' Thus the Koran, in this matter of slavery, is the enemy of the mankind. And women, as usual, are the greater sufferers.'

Take the caste system. Islam speaks of brotherhood. Everybody infers that Islam must be free from slavery and caste. Regarding slavery nothing needs to be said. It stands abolished now by law. But while it existed much of its

support was derived from Islam and Islamic countries.² While the prescriptions by the Prophet regarding the just and humane treatment of slaves contained in the Koran are praiseworthy, there is nothing whatever in Islam that lends support to the abolition of this curse. As Sir W. Muir has well said³ :—

"...rather, while lightening, lie riveted the fetter.... There is no obligation on a Muslim to release his slaves. ... "

But if slavery has gone, caste among Musalmans has remained. As an illustration one may take the conditions prevalent among the Bengal Muslims. The Superintendent of the

Census for 1901 for the Province of Bengal records the following interesting facts regarding the Muslims of Bengal :—

" The conventional division of the Mahomedans into four tribes— Sheikh, Saiad, Moghul and Pathan—has very little application to this Province (Bengal). The Mahomedans themselves recognize two main social divisions, (1) Ashraf or Sharaf and (2) Ajlaf. Ashraf means ' noble ' and includes all undoubted descendants of foreigners and converts from high caste Hindus. All other Mahomedans including the occupational groups and all converts of lower ranks, are known by the contemptuous terms, ' Ajlaf ', ' wretches ' or ' mean people ': they are also called Kamina or Itar, ' base ' or Rasil, a corruption of Rizal, ' worthless '. In some places a third class, called Arzal or ' lowest of all ', is added. With them no other Mahomedan would associate, and they are forbidden to enter the mosque to use the public burial ground.

"Within these groups there are castes with social precedence of exactly the same nature as one finds among the Hindus.

' 1. *Ashraf* or better class Mahomedans.

- (1) Saiads.
- (2) Sheikhs.
- (3) Pathans.
- (4) Moghul.
- (5) Mallik.
- (6) Mirza.

II. *Ajlaf* or lower class Mahomedans.

- (1) Cultivating Sheikhs, and others who were originally Hindus but who do not belong to any functional group, and have not gained admittance to the Ashraf Community, e.g. Pirali and Thakrai.
- (2) Darzi, Jolaha, Fakir, and Rangrez.
- (3) Barhi, Bhalhiara, Chik, Churihar, Dai, Dhawa, Dhunia, Gaddi, Kalal, Kasai, Kula Kunjara, Laheri, Mahifarosh, Mallah, Naliya, Nikari.

(4) Abdal, Bako, Bediya, Bhal, Chamba, Dafali, Dhobi, Hajjam, Mucho, Nagarchi, Nal, Panwaria, Madaria, Tunlia.

III. *Arzal* or degraded class. Bhanar, Halalkhor, Hijra, Kasbi, Lalbegi, Maugia, Mchlar."

The Census Superintendent mentions another feature of the Muslim social system, namely, the prevalence of the " panchayat system." He states :—

" The authority of the panchayat extends to social as well as trade matters and... marriage with people of other communities is one of offences of which the governing body takes cognizance. The result is that these groups are often as strictly endogamous as Hindu castes. The prohibition on inter-marriage extends to higher as well as to lower castes, and a Dhuina, for example, may marry no one but a Dhuina. If this rule is transgressed, the offender is at once hauled up before the panchayat and ejected ignominiously from his community. A member of one such group cannot ordinarily gain admission to another, and he retains the designation of the community in which he was born even if he abandons its distinctive occupation and takes to other means of livelihood.... thousands of Jolahas are butchers, yet they are still known as Jolahas."

Similar facts from other Provinces of India could be gathered from their respective Census Reports and those who are curious may refer to them. But the facts for Bengal are enough to show that the Mahomedans observe not only caste but also untouchability.

There can thus be no manner of doubt that the Muslim Society in India is afflicted by the same social evils as afflict the Hindu Society. Indeed, the Muslims have all the social evils of the Hindus and something more. That something more is the compulsory system of *purdah* for Muslim women.

As a consequence of the *purdah* system a segregation of the Muslim women is brought about. The ladies are not expected to visit the outer rooms, verandahs or gardens, their quarters are in the back-yard. All of them, young and old, are confined in the same room. No male servant can work in their presence. A woman is allowed to see only her sons, brothers, father, uncles and husband, or any other near relation who may be admitted to a position of trust. She cannot go even to the mosque to pray and must wear *burka* (veil) whenever she has to go out. These *burka* women walking in the streets is one of the most hideous sights one can witness in India. Such seclusion cannot but have its deteriorating effects upon the physical constitution of Muslim women. They are usually victims to anaemia, tuberculosis and pyorrhoea. Their bodies are deformed, with their backs bent, bones protruded, hands and feet crooked. Ribs, joints and nearly all their bones ache. Heart palpitation is very often present in them. The result of this pelvic deformity is untimely

death at the time of delivery. *Purdah* deprives Muslim women of mental and moral nourishment. Being deprived of healthy social life, the process of moral degeneration must and does set in. Being completely secluded from the outer world, they engage their minds in petty family quarrels with the result that they become narrow and restricted in their outlook.

They lag behind their sisters from other communities, cannot take part in any outdoor activity and are weighed down by a slavish mentality and an inferiority complex. They have no desire for knowledge, because they are taught not to be interested in anything outside the four walls of the house. *Purdah* women in particular become helpless, timid, and unfit for any fight in life. Considering the large number of *purdah* women among Muslims in India, one can easily understand the vastness and seriousness of the problem of *purdah* ⁴

The physical and intellectual effects of *purdah* are nothing as compared with its effects on morals. The origin of *purdah* lies of course in the deep-rooted suspicion of sexual appetites in both sexes and the purpose is to check them by segregating the sexes. But far from achieving the purpose, *purdah* has adversely affected the morals of Muslim men. Owing to *purdah* a Muslim has no contact with any woman outside those who belong to his own household. Even with them his contact extends only to occasional conversation. For a male there is no company of and no commingling with the females except those who are children or aged. This isolation of the males from females is sure to produce bad effects on the morals of men. It requires no psychoanalyst to say that a social system which cuts off all contact between, the two sexes produces an unhealthy tendency towards sexual excesses and unnatural and other morbid habits and ways.

The evil consequences of *purdah* are not confined to the Muslim community only. It is responsible for the social segregation of Hindus from Muslims which is the bane of public life in India. This argument may appear far fetched and one is inclined to attribute this segregation to the unsociability of the Hindus rather than to *purdah* among the Muslims. But the Hindus are right when they say that it is not possible to establish social contact between Hindus and Muslims because such contact can only mean contact between women from one side and men from the other ⁵

Not that *purdah* and the evils consequent thereon are not to be found among certain sections of the Hindus in certain parts of the country. But the point of distinction is that among the Muslims, *purdah* has a religious sanctity which it has not with the Hindus. *Purdah* has deeper roots among the Muslims than it has among the Hindus and can only be removed by facing the inevitable conflict between religious injunctions and social needs. The

problem of *purdah* is a real problem with the Muslims—apart from its origin—which it is not with the Hindus. Of any attempt by the Muslims to do away with it, there is no evidence.

There is thus a stagnation not only in the social life but also in the political life of the Muslim community of India. The Muslims have no interest in politics as such. Their predominant interest is religion. This can be easily seen by the terms and conditions that a Muslim constituency makes for its support to a candidate fighting for a seat. The Muslim constituency does not care to examine the programme of the candidate. All that the constituency wants from the candidate is that he should agree to replace the old lamps of the masjid by supplying new ones at his cost, to provide a new carpet for the masjid because the old one is torn, or to repair the masjid because it has become dilapidated. In some places a Muslim constituency is quite satisfied if the candidate agrees to give a sumptuous feast and in other if he agrees to buy votes for so much a piece. With the Muslims, election is a mere matter of money and is very seldom a matter of social programme of general improvement. Muslim politics takes no note of purely secular categories of life, namely, the differences between rich and poor, capital and labour, landlord and tenant, priest and layman, reason and superstition. Muslim politics is essentially clerical and recognizes only one difference, namely, that existing between Hindus and Muslims. None of the secular categories of life have any place in the politics of the Muslim community and if they do find a place—and they must because they are irrepressible—they are subordinated to one and the only governing principle of the Muslim political universe, namely, religion.

II

The existence of these evils among the Muslims is distressing enough. But far more distressing is the fact that there is no organized movement of social reform among *the* Musalmans of India on a scale sufficient to bring about their eradication. The Hindus have their social evils. But there is this relieving feature about them—namely, that some of them are conscious of their existence and a few of them are actively agitating for their removal. The Muslims, on the other hand, do not realize that they are evils and consequently do not agitate for their removal. Indeed, they oppose any change in their existing practices. It is noteworthy that the "Muslims opposed the Child-Marriage Bill brought in the Central Assembly in 1930, whereby the age for marriage of a girl was raised to 14 and of a boy to 18 on the ground that it was opposed to the Muslim canon law. Not only did they oppose the bill at every stage but that when it became law they started a campaign of Civil

Disobedience against that Act. Fortunately the Civil Disobedience campaign of the Muslims against the Act did not swell and was submerged in the Congress Civil Disobedience campaign which synchronized with it. But the campaign only proves how strongly the Muslims are opposed to social reform.

The question may be asked why are the Muslims opposed to social reform ?

The usual answer given is that the Muslims all over the world are an unprogressive people. This view no doubt accords with the facts of history. After the first spurts of their activity the scale of which was undoubtedly stupendous leading to the foundations of vast empires—the Muslims suddenly fell into a strange condition of torpor, from which they never seem to have become awake. The cause assigned for this torpor by those, who have made a study of their condition, is said to be the fundamental assumption made by all Muslims that Islam is a world religion, suitable for all people, for all times and for all conditions. It has been contended that :—

"The Musalman, remaining faithful to his religion, has not progressed; he has remained stationary in a world of swiftly moving modern forces. It is, indeed, one of the salient features of Islam that it immobilizes in their native barbarism, the races whom it enslaves. It is fixed in a crystallization, inert and impenetrable. It is unchangeable; and political, social or economic changes have no repercussion upon it.

" Having been taught that outside Islam there can be no safety; outside its law no truth and outside its spiritual message there is no happiness, the Muslim has become incapable of conceiving any other condition than his own, any other mode of thought than the Islamic thought. He firmly believes that he has arrived at an unequalled pitch of perfection; that he is the sole possessor of true faith, of the true doctrine, the true wisdom ; that he alone is in possession of the truth—no relative truth subject to revision, but absolute truth.

" The religious law of the Muslims has had the effect of imparting to the very diverse individuals of whom the world is composed, a unity of thought, of feeling, of ideas, of judgement."

It is urged that this uniformity is deadening and is not merely imparted to the Muslims, but is imposed upon them by a spirit of intolerance which is unknown anywhere outside the Muslim world for its severity and its violence and which is directed towards the suppression of all rational thinking which is in conflict with the teachings of Islam. As Renan observes ⁶:—

" Islam is a close union of the spiritual and the temporal; it is the reign of a dogma, it is the heaviest chain that humanity has ever borne.... Islam has its beauties as a religion;.... But to the human reason Islamism has only been injurious. The minds that it has shut from the light were, no doubt, already

closed in their own internal limits; but it has persecuted free thought, I shall not say more violently than other religions, but more effectually. It has made of the countries that it has conquered 9 closed field to the rational culture of the mind. What is, in fact -essentially distinctive of the Musalman is his hatred of science, his persuasion that research is useless, frivolous, almost impious—the natural sciences, because they are attempts at rivalry with God; the historical sciences, because they apply to times anterior to Islam, they may revive ancient heresies. Renan concludes by saying:—

"Islam, in treating science as an enemy, is only consistent, but it is a dangerous thing to be consistent. To its own misfortune Islam has been successful. By slaying science it has slain itself; and is condemned in the world to a complete inferiority."

This answer though obvious, cannot be the true answer. If it were the true answer, how are we to account for the stir and ferment that is going on in all Muslim countries outside India, where the spirit of inquiry, the spirit of change and the desire to reform are noticeable in every walk of life. Indeed, the social reforms which have taken place in Turkey have been of the most revolutionary character. If Islam has not come in the way of the Muslims of these countries, why should it come in the way of the Muslims of India ? There must be some special reason for the social and political stagnation of the Muslim community in India.

What can that special reason be ? It seems to me that the reason for the absence of the spirit of change in the Indian Musalman is to be sought in the' peculiar position he occupies in India. He is placed in a social environment which is predominantly Hindu. That Hindu environment is always silently but surely encroaching upon him. He feels that it is de-musalmanizing him. As a protection against this gradual weaning away he is led to insist on preserving everything that is Islamic without caring to examine whether it is helpful or harmful to his society. Secondly, the Muslims in India are placed in a political environment which is also predominantly Hindu. He feels that he will be suppressed and that political suppression will make the Muslims a depressed class. It is this consciousness that he has to save himself from being submerged by the Hindus socially and-politically, which to my mind is the primary cause why the Indian Muslims as compared with their fellows outside are backward in the matter of social reform. Their energies are directed to maintaining a constant struggle against the Hindus for seats and posts in which there is no time, no thought and no room for questions relating to social reform. And if there is any, it is all overweighed and suppressed by the desire, generated by pressure of communal tension, to close the ranks and offer a united front to the menace of the Hindus and Hinduism by maintaining their

socio-religious unity at any cost.

The same is the explanation of the political stagnation in the Muslim community of India. Muslim politicians do not recognize secular categories of life as the basis of their politics because to them it means the weakening of the community in its fight against the Hindus. The poor Muslims will not join the poor Hindus to get justice from the rich. Muslim tenants will not join Hindu tenants to prevent the tyranny of the landlord. Muslim labourers will not join Hindu labourers in the fight of labour against capital. Why ? The answer is simple. The poor Muslim sees that if he joins in the fight of the poor against the rich, he may be fighting against a rich Muslim. The Muslim tenant feels that if he joins in the campaign against the landlord, he may have to fight against a Muslim landlord. A Muslim labourer feels that if he joins in the onslaught of labour against capital, he will be injuring a Muslim mill-owner. He is conscious that any injury to a rich Muslim, to a Muslim landlord or to a Muslim mill-owner, is a disservice to the Muslim community, for it is thereby weakened in its struggle against the Hindu community.

How Muslim politics has become perverted is shown by the attitude of the Muslim leaders to the political reforms in the Indian States. The Muslims and their leaders carried on a great agitation for the introduction of representative government in the Hindu State of Kashmir. The same Muslims and their leaders are deadly opposed to the introduction of representative governments in other Muslim States. The reason for this strange attitude is quite simple. In all matters, the determining question with the Muslims is how it will affect the Muslims *vis-a-vis* the Hindus. If representative government can help the Muslims, they will demand it, and fight for it. In the State of Kashmir the ruler is a Hindu, but the majority of the subjects are Muslims. The Muslims fought *for* representative government in Kashmir, because representative government in Kashmir meant the transfer of power from a Hindu king to the Muslim masses. In other Muslim States, the ruler is a Muslim but the majority of his subjects are Hindus. In such States representative government means the transfer of power from a Muslim ruler to the Hindu masses, and that is why the Muslims support the introduction of representative government in one case and oppose it in the other. The dominating consideration with the Muslims is not democracy. The dominating consideration is how democracy with majority rule will affect the Muslims in their struggle against the Hindus. Will it strengthen them or will it weaken them ? If democracy weakens them, they will not have democracy. They will prefer the rotten state to continue in the Muslim States rather than weaken the Muslim ruler in his hold upon his Hindu subjects.

The political and social stagnation in the Muslim community can be

explained by one and only one reason. The Muslims think that the Hindus and Muslims must perpetually struggle; the Hindus to establish their dominance over the Muslims and the Muslims to establish their historical position as the ruling community—that in this struggle the strong will win, and to ensure strength they must suppress or put in cold storage everything which causes dissension in their ranks.

If the Muslims in other countries have undertaken the task of reforming their society and the Muslims of India have refused to do so, it is because the former are free from communal and political clashes with rival communities, while the latter are not.

III

It is not that this blind spirit of conservatism which does not recognize the need of repair to the social structure has taken hold of the Muslims only. It has taken hold of the Hindus also. The Hindus at one time did recognize that without social efficiency no permanent progress in other fields of activity was possible, that, owing to the mischief wrought by evil customs Hindu Society was not in a state of efficiency and that ceaseless efforts must be made to eradicate these evils. It was due to the recognition of this fact that the birth of the National Congress was accompanied by the foundation of the Social Conference. While the Congress was concerned with defining the weak points in the political organisation of the country, the Social Conference was engaged in removing the weak points in the social organisation of the Hindu Society. For some time, the Congress and the Conference worked as two wings of one common body and held their annual sessions in the same pandal. But soon the two wings developed into two parties, a Political Reform Party and a Social Reform Party, between whom raged fierce controversy. The Political Reform Party supported the National Congress and the Social Reform Party supported the Social Conference. The two bodies became two hostile camps. The point at issue was whether social reform should precede political reform. For a decade the forces were evenly balanced and the battle was fought without victory to either side. It was, however, evident that the fortunes of the Social Conference were ebbing fast. The gentlemen who presided over the sessions of the Social Conference lamented that the majority of the educated Hindus were for political advancement and indifferent to social reform and that while the number of those who attended the Congress was very large and the number who did not attend but who sympathized with it even larger, the number of those who attended the Social Conference was very much smaller. This indifference, this thinning of its ranks was soon followed by active hostility from the politicians, like the late Mr. Tilak. In course of time, the party in favour of political reform won and the

Social Conference vanished and was forgotten,⁷ With it also vanished from the Hindu Society the urge for social reform. Under the leadership of Mr. Gandhi, the Hindu Society, if it did not become a political mad-house, certainly became mad after politics. Non-co-operation, Civil Disobedience, and the cry for Swaraj took the place which social reform once had in the minds of the Hindus. In the din and dust of political agitation, the Hindus do not even know that there are any evils to be remedied. Those who are conscious of it, do not believe that social reform is as important as political reform, and when forced to admit its importance argue that there can be no social reform unless political power is first achieved. They are so eager to possess political power that they are impatient even of propaganda in favour of social reform, as it means so much time and energy deducted from political propaganda. A correspondent of Mr. Gandhi put the point of view of the Nationalists very appropriately, if bluntly, when he wrote ⁸ to Mr. Gandhi, saying:—

" Don't 'you think that it is impossible to achieve any great reform without winning political power ? The present economic structure has got to be tackled? No reconstruction is possible without political reconstruction and I am afraid all this talk of polished and unpolished rice, balanced diet and so on and so forth is mere moonshine."

The Social Reform Party, led by Ranade, died leaving the field to the Congress. There has grown up among the Hindus another party which is also a rival to the Congress. It is the Hindu Maha Sabha. One would expect from its name that it was a body for bringing about the reform of Hindu Society. But it is not. Its rivalry with the Congress has nothing to do with the issue of social reform vs. political reform. Its quarrel with the Congress has its origin in the pro-Muslim policy of the Congress. It is organized for the protection of Hindu rights against Muslim encroachment. Its plan is to organize the Hindus for offering a united front to the Muslims. As a body organized to protect Hindu rights it is all the time engaged in keeping an eye on political movements, on seats and posts. It cannot spare any thought for social reform. As a body keen on bringing about a united front of all Hindus, it cannot afford to create dissensions among its elements which would be the case if it undertook to bring about social reforms. For the sake of the consolidation of the Hindu rank and file, the Hindu Maha Sabha is ready to suffer all social evils to remain as they are. For the sake of consolidation of the Hindus, it is prepared to welcome the Federation as devised by the Act of 1935 in spite of its many iniquities and defects. For the same purpose, the Hindu Maha Sabha favours the retention of the Indian States, with their administration as it is. ' Hands off the Hindu States ' has been the battle-cry of its President. This

attitude is stranger than that of the Muslims. Representative government in Hindu States cannot do harm to the Hindus. Why then should the President of the Hindu Maha Sabha oppose it ? Probably because it helps the Muslims, whom he cannot tolerate.

IV

To what length this concern for the conservation of their forces can lead the Hindus and the Musalmans cannot be better illustrated than by the debates on the Dissolution of Muslim Marriage Act VIII of 1939 in the Central Assembly. Before 1939, the law was that apostasy of a male or a female married under the Muslim law *ipso facto* dissolved the marriage with the result that if a married Muslim woman changed her religion, she was free to marry a person professing her new religion. This was the rule of law enforced by the courts, throughout India at any rate, for the last 60 years.⁹

This law was annulled by Act VIII of 1939, section 4 of which reads as follows:—

" The renunciation of Islam by a married Muslim woman or her conversion to a faith other than Islam shall not by itself operate to dissolve her marriage:

Provided that after such renunciation or conversion the woman shall be entitled to obtain a decree for the dissolution of marriage on any of the grounds mentioned in section 2:

Provided further that the provision of' this section shall not apply to a woman converted to Islam from some other faith who re-embraces her former faith."

According to this Act, the marriage of a married Muslim woman is not dissolved by reason of her conversion to another religion. All that she gets is a right of divorce. It is very intriguing to find that section 2 does not refer to conversion or apostasy as a ground for divorce. The effect of the law is that a married Muslim woman has no liberty of conscience and is tied for ever to her husband whose religious faith may be quite abhorrent to her.

The grounds urged in support of this change are well worth attention. The mover of the Bill, Quazi Kazmi, M.L.A. adopted a very ingenious line of argument in support of the change. In his speech ¹⁰ on the motion to refer the Bill he said:—

" Apostasy was considered by Islam, as by any other religion, as a great crime, almost amounting to a crime against the State. It is not novel for the religion of' Islam to have that provision. If we look up the older Acts of any nation, we will find that similar provision also exists in other Codes as well. Fur the male a severer punishment was awarded, that of death, and for females, only the punishment of imprisonment was awarded. This main provision was that because it was a sin, it was a crime, it was to be punished,

and the woman was to be deprived of her status as wife. It was not only this status that she lost, but she lost all her suit us in society; she was deprived of her property and civil rights as well. But we find that as early as 1850 an Act was passed here, called the Caste Disabilities Removal Act of 1850, Act XXI of 1850.....

" by this Act, the forfeiture of civil rights that could be imposed on a woman on her apostasy has been taken away. She can no longer be subjected to any forfeiture of property or her right of inheritance or anything of the kind. The only question is that the Legislature has come to her help, it has given her a certain amount of liberty of thought, some kind of liberty of religion to adopt any faith she likes, and has removed the forfeiture clause from which she could suffer, and which was a restraint upon her changing the faith. The question is how far we are entitled after that to continue placing the restriction on her status as a wife. Her status as a wife is of some importance in society. She belongs to some family, she has got children, she has got other connections too. If she has got a liberal mind, she may not like to continue the same old religion. If she changes her religion, why should we, according to our modern ideas, inflict upon her a further penalty that she will cease to be the wife of her husband. I submit, in these days when we are advocating freedom of thought and freedom of religion, when we are advocating inter-marriages between different communities, it would be inconsistent for us to support a provision that a mere change of faith or change of religion would entail forfeiture of her rights as the wife of her husband. So, from a modern point of view, I have got no hesitation in saying that we cannot, in any way, support the contrary proposition that apostasy must be allowed to finish her relationship with her husband. But that is only one part of the argument.

"Section 32 of the Parsi Marriage and Divorce Act, 1936, is to the effect that a married woman may sue for divorce on the grounds 'that the defendant has ceased to be a Parsi'

" There are two things apparent from this. the first is, that it is a ground for dissolution, not from any religious idea or religious sentiment, because, if two years have passed after the conversion and if plaintiff does not object, then either the male or female has no right to sue for dissolution of marriage. The second thing is, that it is the plaintiff who has got the complaint that the other party has changed the religion, who has got the right of getting the marriage dissolved..... In addition to this Act, as regards other communities we can have an idea of the effect of conversion on marriage tie from the Native Converts ' Marriage Dissolution Act, Act XXI of 1886 It applies to all the communities of India, and this legislation recognises the fact that mere conversion of an Indian to Christianity would not dissolve the marriage but he

will have the right of going to a law court and saying that the other party., who is not converted, must perform the marital duties in respect of him..... then they are given a year's time and the judge directs that they shall have an interview with each other in the presence of certain other persons to induce them to resume their conjugal relationship, and if they do not agree, then on the ground of desecration the marriage is dissolved. The marriage is dissolved no doubt, but not on the ground of change of faith.So, every community in India has got this accepted principle that conversion to another religion cannot amount to a dissolution of marriage."

Syed Gulam Bikh Nairang, another Muslim member of the Assembly and a protagonist of the Bill, was brutally frank. In support of the principle of the Bill he said ¹¹ :—

" For a very long lime the courts in British India have held without reservation and qualification that under all circumstances apostasy automatically and immediately puts an end to the married slate without any judicial proceedings, any decree of court, or any other ceremony. That has been the position which was taken up by the Courts. Now, there are three distinct views of *Hanafi jurists* on the point. One view which is attributed to the Bokhara jurists was adopted and even that not in its entirety but in what I may call a mutilated and maimed condition. What that Bokhara view is has been already stated by Mr. Kazmi and some other speakers. The Bokhara jurists say that marriage is dissolved by apostasy. In fact, I should be more accurate in saying—1 have got authority for that—that it is, according to the Bokhara view, not dissolved but suspended. The marriage is suspended but the wife is then kept in custody or confinement till she repents and embraces Islam again, and then she is induced to marry the husband, whose marriage was only suspended and not put an end to or cancelled. The second view is that on apostasy a married Muslim woman ceases to be the wife other husband but becomes his bond woman. One view, which is a sort of corollary to this view, is that she is not necessarily the bond woman of her ex-husband but she becomes the bond woman of the entire Muslim community and anybody can employ her as a bond woman. The third view, that of the Ulema of Samarkand and Baikh, is that the marriage lie is not affected by such apostasy and that the woman still continues to be the wife of the husband. These are the three views. A portion of the first view, the Bokhara view, was taken hold of by the Courts and rulings after rulings were based on that portion.

" This House is well aware that it is not only in this solitary instance that judicial error is sought to be corrected by legislation, but in many other cases, too, there have been judicial errors or conflicts of judicial opinion or

uncertainties and vagueness of law. Errors of judicial view are being constantly corrected by legislation. In this particular matter there has been an error after error and a tragedy of errors. To show me those rulings is begging the question. Surely, it should be realized that it is no answer to my Bill that because the High Courts have decided against me, I have no business to come to this House and ask it to legislate this way or that way."

Having regard to the profundity of the change, the arguments urged in support of it were indeed very insubstantial. Mr. Kazmi failed to realize that if there was a difference between the divorce law relating to Parsis, Christians and Muslims, once it is established that the conversion is genuine, the Muslim law was in advance of the Parsi and the Christian law and instead of making the Muslim law retrograde, the proper thing ought to have been to make the Parsi and the Christian law progress. Mr. Nairang did not stop to inquire that, if there were different schools of thought among the Muslim jurists, whether it was not more in consonance with justice to adopt the more enlightened view which recognized the freedom of the Muslim woman and not to replace it by the barbaric one which made her a bonds-woman.

Be that as it may, the legal arguments had nothing to do with the real motive underlying the change. The real motive was to put a stop to the illicit conversion of women to alien faiths, followed by immediate and hurried marriages with some one professing the faith she happened to have joined, with a view to locking her in the new community and preventing her from going back to the community to which she originally belonged. The conversion of Muslim woman to Hinduism and of Hindu woman to Islam looked at from a social and political point of view cannot but be fraught with tremendous consequences. It means a disturbance in the numerical balance between the two communities. As the disturbance was being brought about by the abduction of women, it could not be overlooked. For woman is at once the seed-bed of and the hothouse for nationalism in a degree that man can never be.¹² These conversions of women and their subsequent marriages were there-fore regarded, and rightly, as a series of depredations practised by Hindus against Muslims and by Muslims against Hindus with a view to bringing about a change in their relative numerical strength. This abominable practice of woman-lifting had become as common as cattle-lifting and, with its obvious danger to communal balance, efforts had to be made to stop it. That this was the real reason behind this legislation can be seen from the two provisions to section 4 of the Act. In proviso 1 the Hindus concede to the Musalmans that if they convert a woman who was originally a Muslim she will remain bound to her former Muslim husband notwithstanding her conversion. By proviso 2 the Muslims concede to the Hindus that if they convert a Hindu

married woman and she is married to a Musalman, her marriage will be deemed to be dissolved if she renounces Islam and she will be free to return to her Hindu fold. Thus what underlies the change in law is the desire to keep the numerical balance and it is for this purpose that the rights of women were sacrificed.

There are two other features of this malaise which have not been sufficiently noted.

One such feature is the jealousy with which one of them looks upon any reform by the other in its social system. If the effect of such reform is to give it increase of strength for resistance, it at once creates hostility.

Swami Shradhanand relates a very curious incident which well illustrates this attitude. Writing in the *Liberator* ¹³ his recollections, he refers to this incident. He says :—

" Mr. Ranade was there. . . . to guide the Social Conference to which the title of ' National ' was for the first and last time given. It was from the beginning a Hindu Conference in all walks of life. The only Mahomedan delegate who joined the National Social Conference was a Mufti Saheb of Barreily. Well! The conference began when the resolution in favour of remarriage of child-widows was moved by a Hindu delegate and by me. Sanalanist Pandits opposed it. Then the Mufti asked permission to speak. The laic Baijnalh told Mufti Saheb that as the resolution concerned the Hindus only, he need not speak. At this the Mufti flared up.

" There was no loophole left for the President and Mufti Saheb was allowed to have his say. Mufti Saheb's argument was that as Hindu Shastras did not allow remarriage, it was a sin to press for it. Again, when the resolution about the reconversion of those who had become Christians and Musalmans came up. Mufti Saheb urged that when a man abandoned the Hindu religion he ought not to be allowed to come back."

Another illustration would be the attitude of the Muslims towards the problem of the Untouchables. The Muslims have always been looking at the Depressed Classes with a sense of longing and much of the jealousy between Hindus and Muslims arises out of the fear of the latter that the former might become stronger by assimilating the Depressed Classes. In 1909 the Muslims took the bold step of suggesting that the Depressed Classes should not be enrolled in the census as Hindus. In 1923 Mr. Mahomed Ali in his address as the President of the Congress went much beyond the position taken by the Muslims in 1909. He said:—

"The quarrels about ALAMS and PIPAL trees and musical processions are truly childish ; but there is one question which can easily furnish a ground for complaint of unfriendly action if communal activities are not amicably

adjusted. It is the question of the conversion of the Suppressed Classes, if Hindu society does not speedily absorb them. The Christian missionary is already busy and no one quarrels with him. But the moment some Muslim Missionary Society is organized for the same purpose there is every likelihood of an outcry in the Hindu press. It has been suggested to me by an influential and wealthy gentleman who is able to organize a Missionary Society on a large scale for the conversion of the Suppressed Classes, that it should be possible to reach a settlement with leading Hindu gentlemen and divide the country into separate areas where Hindu and Muslim missionaries could respectively work, each community preparing for each year, or longer unit of time if necessary, an estimate of the numbers it is prepared to absorb or convert. These estimates would, of course, be based on the number of workers and funds each had to spare, and tested by the actual figures of the previous period. In this way each community would be free to do the work of absorption and conversion, or rather, of reform without chances of collision with one another. I cannot say in what light my Hindu brethren will take it and I place this suggestion tentatively in all frankness and sincerity before them. All that I say for myself is that I have seen the condition of the ' Kali Praja ' in the Baroda State and of the Gonds in the Central Provinces and I frankly confess it is a reproach to us all. If the Hindus will not absorb them into their own society, others will and must, and then the orthodox Hindu too will cease to treat them as untouchables. Conversion seems to transmute them by a strong alchemy. But does this not place a premium upon conversion ?"

The other feature is the " preparations " which the Muslims and Hindus are making against each other without abatement. It is like a race in armaments between two hostile nations. If the Hindus have the Benares University, the Musalmans must have the Aligarh University. If the Hindus start Shudhi movement, the Muslims must launch the Tablig movement. If the Hindus start Sangathan, the Muslims must meet it by Tanjim. If the Hindus have the R. S. S.,¹⁴ the Muslims must reply by organizing the Khaksars. This race in social armament and equipment is run with the determination and apprehension characteristic of nations which are on the war path. The Muslims fear that the Hindus are subjugating them. The Hindus feel that the Muslims are engaged in reconquering them. Both appear to be preparing for war and each is watching the " preparations " of the other.

Such a state of things cannot but be ominous. It is a vicious circle. If the Hindus make themselves stronger, the Musalmans feel menaced. The Muslims endeavour to increase their forces to meet the menace and the Hindus then do the same to equalize the position. As the preparations

proceed, so does the suspicion, the secrecy, and the plotting. The possibilities of peaceful adjustment are poisoned at the source and precisely because everyone is fearing and preparing for it that " war " between the two tends to become inevitable. But in the situation in which they find themselves, for the Hindus and the Muslims not to attend to anything, except to prepare themselves to meet the challenge of each other, is quite natural. It is a struggle for existence and the issue, that counts, is survival and not the quality or the plane of survival.

Two things must be said to have emerged from this discussion. One is that the Hindus and the Muslims regard each other as a menace. The second is that to meet this menace, both have suspended the cause of removing the social evils with which they are infested. Is this a desirable state of things ? If it is not how then can it be ended ?

No one can say that to have the problems of social reform put aside is a desirable state of things. Wherever there are social evils, the health of the body politic requires that they shall be removed before they become the symbols of suffering and injustice. For it is the social and economic evils which everywhere are the parent of revolution or decay. Whether social reform should precede political reform or political reform should precede social reform may be a matter of controversy. But there can be no two opinions on the question that the sole object of political power is the use to which it can be put in the cause of social and economic reform. The whole struggle for political power would be a barren and bootless effort if it was not justified by the feeling that, because of the want of political power, urgent and crying social evils are eating into the vitals of society and are destroying it. But suppose the Hindus and the Muslims somehow come into possession of political power, what hope is there that they will use it for purposes of social reform ? There is hardly any hope in that behalf. So long as the Hindus and the Muslims regard each other as a menace, their attention will be engrossed in preparations for meeting the menace. The exigencies of a common front by Musalmans against Hindus and by Hindus against Musalmans generate—and is bound to generate—a conspiracy of silence over social evils. Neither the Muslims nor the Hindus will attend to them even though the evils may be running sores and requiring immediate attention, for the simple reason that they regard every measure of social reform as bound to create dissension and division and thereby weaken the ranks when they ought to be closed to meet the menace of the other community. It is obvious that so long as one community looks upon the other as a menace there will be no social progress and the spirit of conservatism will continue to dominate the thoughts and actions of both.

How long will this menace last ? It is sure to last as long as the Hindus and Muslims are required to live as members of one country under the mantle of a single constitution. For, it is the fear of the single constitution with the possibility of the shifting of the balance—for nothing can keep the balance at the point originally fixed by the constitution—which makes the Hindus a menace to the Muslims and the Muslims a menace to the Hindus. If this is so, Pakistan is the obvious remedy. It certainly removes the chief condition which makes for the menace. Pakistan liberates both the Hindus and the Muslims from the fear of enslavement of and encroachment against each other. It removes, by providing a separate constitution for each, Pakistan and Hindustan, the very basis which leads to this perpetual struggle for keeping a balance of power in the day-to-day life and frees them to take in hand those vital matters of urgent social importance which they are now forced to put aside in cold storage, and improve the lives of their people, which after all is the main object of this fight for Swaraj.

Without some such arrangement, the Hindus and the Muslims will act and react as though they were two nations, one fearing to be conquered by the other. Preparations for aggression will 'always have precedence over social reform, so that the social stagnation which has set in must continue. This is quite natural and no one need be surprised at it. For, as Bernard Shaw pointed out:—

" A conquered nation is like a man with cancer ; he can think of nothing else A healthy nation is as unconscious of its nationality as a healthy man of his bones. But if you break a nation's nationality it will think of nothing else but getting it set again. It will listen to no reformer, to no philosopher, to no preacher until the demand of the nationalist is granted. It will attend to no business, however vital, except the business of unification and liberation."

Unless there is unification of the Muslims who wish to separate from the Hindus and unless there is liberation of each from the fear of domination by the other, there can be no doubt that this malaise of social stagnation will not be set right.

CHAPTER XI COMMUNAL AGGRESSION

Even a superficial observer cannot fail to notice that a spirit of aggression underlies the Hindu attitude towards the Muslim and the Muslim attitude towards the Hindu. The Hindu's spirit of aggression is a new phase which he has just begun to cultivate. The Muslim's spirit of aggression is his native endowment and is ancient as compared with that of the Hindu. It is not that the Hindu, if given time, will not pick up and overtake the Muslim. But as

matters stand to-day, the Muslim in this exhibition of the spirit of aggression leaves the Hindu far behind.

Enough has been said about the social aggression of the Muslims in the chapter dealing with communal riots. It is necessary to speak briefly of the political aggression of the Muslims. For this political aggression has created a malaise which cannot be overlooked.

Three things are noticeable about this political aggression of the Muslims.

First is the ever-growing catalogue of the Muslim's political demands. Their origin goes back to the year 1892.

In 1885 the Indian National Congress was founded. It began with a demand for good government as distinguished from self-government. In response to this demand the British Government felt the necessity of altering the nature of the Legislative Councils, Provincial and Central, established under the Act of 1861. In that nascent stage of Congress agitation, the British Government did not feel called upon to make them fully popular. It thought it enough to give them a popular colouring. Accordingly the British Parliament passed in 1892 what is called the Indian Councils Act. This Act is memorable for two things. It was in this Act of 1892 that the British Government for the first time accepted the semblance of the principle of popular representation as the basis for the constitution of the Legislatures in India. It was not a principle of election. It was a principle of nomination, only it was qualified by the requirement that before nomination a person must be selected by important public bodies such as municipalities, district boards, universities and the associations of merchants, etc. Secondly, it was in the legislatures that were constituted under this Act that the principle of separate representation for Musalmans was for the first time introduced in the political constitution of India.

The introduction of this principle is shrouded in mystery. It is a mystery because it was introduced so silently and so stealthily. The principle of separate representation does not find a place in the Act. The Act says nothing about it. It was in the directions—but not in the Act—issued to those charged with the duty of framing regulations as to the classes and interests to whom representation was to be given that the Muslims were named as a class to be provided for.

It is a mystery as to who was responsible for its introduction. This scheme of separate representation was not the result of any demand put forth by any organized Muslim association. In whom did it then originate? It is suggested¹⁵ that it originated with the Viceroy, Lord Dufferin, who, as far back as the year 1888, when dealing with the question of representation in the Legislative Councils, emphasized the necessity that in India representation will have to be, not in the way representation is secured in England, but representation by

interests. Curiosity leads to a further question, namely, what could have led Lord Dufferin to propose such a plan ? It is suggested ¹⁶ that the idea was to wean ¹⁷ away the Musalmans from the Congress which had already been started three years before. Be that as it may, it is certain that it is by this Act that separate representation for Muslims became, for the first time, a feature of the Indian Constitution. It should, however, be noted that neither the Act nor the Regulations conferred any right of selection upon the Muslim community, nor did the Act give the Muslim community a right to claim a fixed number of seats. All that it did was to give the Muslims the right to separate representation.

Though, to start with, the suggestion of separate representation came from the British, the Muslims did not fail to appreciate the social value of separate political rights with the result that when in 1909 the Muslims came to know that the next step in the reform of the Legislative Councils was contemplated, they waited of their own accord in deputation ¹⁸ upon the Viceroy, Lord Minto, and placed before him the following demands :—

- (i) Communal representation in accordance with their numerical strength, social position and local influence, on district and municipal boards.
- (ii) An assurance of Muhammadan representation on the governing bodies of Universities.
- (iii) Communal representation on provincial councils, election being by special electoral colleges composed of Muhammadan landlords, lawyers, merchants, and representatives of other important interests, University graduates of a certain standing and members of district and municipal boards.
- (iv) The number of Muhammadan representatives in the Imperial Legislative Council should not depend on their numerical strength, and Muhammadans should never be in an ineffective minority. They should be elected as far as possible (as opposed to being nominated), election being by special Muhammadan colleges composed of landowners, lawyers, merchants, members of provincial councils, Fellows of Universities, etc.

These demands were granted and given effect to in the Act of 1909. Under this Act the Muhammadans were given (1) the right to elect their representatives, (2) the right to elect their representatives by separate electorates, (3) the right to vote in the general electorates as well, and (4) the right to weightage in representation. The following table shows the proportion of representation- secured to the Muslims in the Legislatures by the Act of 1909 and the Regulations made thereunder :—

Composition of
Legislative Councils
under the act of 1999
showing Communal
Proportion between
Hindus ad Muslims

Provi nce	Maximu m number of addition al Member s prescrib ed by the Act of 1909	Maximu m number of Addition al Member s allowed by Regulat ory columns 5 and 12	E x- of fi ci o o M e m b er s	Strength of the Councils under the Regulations								Tota l stre ngth colu mns 4, 5, 12
				Elected Members			Nominated Members					
				T o t a l	No n- Mu sli ms	Mu sli ms	Officials		Non offici als	Exp erts	T o t a l	
							L a w O f f i c i a l s	Oth ers 19				
1	2	3	4	5	6	7	8	9	10	11	12	13
India	60	60	8	27	22	5	--	28	5	--	33	63
Madr as	50	45	4	21	19	2	--	16	5	2	24	49
Bom bay	50	45	4	21	17	4	1	14	7	2	24	49
Ben gal	50	50	4	28	23	5	1	16	4	2	22	54
Biha r	50	41	4	21	17	4	--	15	4	1	20	45
U.P.	50	49	1	21	17	4	--	20	6	2	28	50
Punj ab	30	26	1	8	8	no ne	--	10	6	2	18	27

Burma	30	17	1	1	1	no ne	--	6	8	2	1 6	18
Assam	30	25	1	1 1	9	2	--	9	4	1	1 4	25

The provisions were applied to all Provinces except the Punjab and the C. P. It was not applied to the Punjab because such special protection was considered unnecessary for the Musalmans of the Punjab and it was not applied to the C. P. because it had no Legislative Council at the time. ²⁰

In October 1916, 19 members of the Imperial Legislative Council presented the Viceroy (Lord Cheirnsford) a memorandum demanding a reform of the Constitution. Immediately the Muslims came forward with a number of demands on behalf of the Muslim community. These were :—

- (i) The extension of the principle of separate representation to the Punjab and the C. P.
- (ii) Fixing the numerical strength of the Muslim representatives in the Provincial and Imperial Legislative Councils.
- (iii) Safeguards against legislation affecting Muslims, their religion and religious usages.

The negotiations following upon these demands resulted in agreement between the Hindus and the Muslims which is known as the Lucknow Pact. It may be said to contain two clauses. One related to legislation, under which it was agreed that :—

" No Bill, nor any clause thereof, nor a resolution introduced by a nonofficial affecting one or other community (which question is to be determined by the members of that community in the Legislative Council concerned) shall be' proceeded with, if three-fourths of the members of that community in the particular Council, Imperial and Provincial, oppose the Bill or any clause thereof or the resolution."

The other clause related to the proportion of Muslim representation. With regard to the Imperial Legislative Council the Pact provided :—

"That one-third of the Indian elected members should be Muhammadans, elected by separate electorates in the several Provinces, in the proportion, as nearly as might be, in which they were represented on the provincial legislative councils by separate Muhammadan electorates."

In the matter of Muslim representation in the Provincial Legislative Councils it was agreed that the proportion of Muslim representation should be as follows ²¹ :—

Percentage of elected Indian
Members to the Provincial
Legislature

Punjab	50
United Provinces	30
Bengal	40
Bihar and Orissa	25
Central Province	15
Madras	15
Bombay	33

While allowing this proportion of seats to the Muslims, the right to second vote in the general electorates which they had under the arrangement of 1909 was taken away.

The Lucknow Pact was adversely criticized by the Montagu Chelmsford Report. But being an agreement between the parties Government did not like to reject it and to substitute in its place its own decision. Both clauses of the agreement were accepted by Government and embodied in the Government of India Act of 1919. The clause relating to legislation was given effect to but in a different form. Instead of leaving it to the members of the Legislature to oppose it, it was provided' ²² ' that legislation affecting the religion or religious rites and usages of any class of British subjects in India shall not be introduced at any meeting of either Chamber of the Indian Legislature without the previous sanction of the Governor-General.

The clause relating to representation was accepted by the Government, though in the opinion of the Government the Punjab and Bengal Muslims were not fairly treated.

The effect of these concessions can be seen by reference to the composition of the Legislatures constituted under the Government of India Act, 1919, which was as follows :—

Composition of the Legislatures

	Stat u- tory Mini - m	Elected Members	Nominated Members	Actu - al To tal

	um						
		Total	Muslims	Non - Muslims	Officials	Non-officials	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Legislative Assembly	145	104	52	52	26	15	145
Council of State	60	33	11	22	17	10	60
Madras Provincial Council	118	98	13	85	11	23	118
Bombay Provincial Council	II	86	27	59	19	9	86
Bengal Provincial Council	125	114	39	75	16	10	125
U. P. Provincial Council	118	110	29	71	17	6	118
Punjab Provincial Council	83	71	32	39	15	8	83
Bihar Provincial Council	98	76	18	58	15	12	98
C. P. Provincial Council	70	55	7	48	10	8	70
Assam Provincial Council	53	39	12	27	7	7	53

The extent of representation secured by the Muslims by the Lucknow Pact can be seen from the following table ²³ :—

				Percentage of	
	Percent		Percent	Muslim	
	age		age	Members	
	of	Percent	of elected.	Members	
	Muslims	age	Muslim	to total	
	to total	of	Muslim	to total	
		Muslim			

	populati on	Member s	Members to total	Members in seats filled	Lucknow Pact
Legislative Body.	of the electoral area (1921 Census)	No. of Member s	No. of elected Indian Members' ²⁴	by election from Indian general (communal) consti- tuencies	Percent age
	(1)	(2)	(3)	(4)	(5)
Punjab	55.2	40	48.5	50	50
United Provinces	14.3	25	30	32.5	30
Bengal	54.6	30	40.5	46	40
Bihar and Orissa	10.9	18.5	25	27	25
Central Provinces	4.4	9.5	13	14.5	15
Madras	6.7	10.5	14	16.5	15
Bombay	19.8	25.5	35	37	33.3
Assam	32.2	30	35.5	37.5	No. provision
Legislative Assembly	24.0	26	34	38	33.3

This table does not show quite clearly the weightage obtained by the Muslims under the Lucknow Pact. It was worked out by the Government of India in their despatch ²⁵ on the Report of Franchise Committee of which Lord Southborough was the Chairman. The following table is taken from that despatch which shows that the Muslims got a weightage under the Lucknow Pact far in excess of what Government gave them in 1909.

	Muslim percentage of	Percentage of Muslim seats	Percen tage (2) of
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	Population	Proposed	(1)
	(1)	(2)	(3)
Bengal	52.6	40	76
Bihar and Orissa	10.5	25	238
Bombay	20.4	33.3	163
Central Provinces	4.3	15	349
Madras	6.5	15	231
Punjab	54.8	50	91
United Provinces	14.0	30	214

In 1927 the British Government announced the appointment of the Simon Commission to examine the working of the Indian Constitution and to suggest further reforms. Immediately the Muslims came forward with further political demands. These demands were put forth from various Muslim platforms such as the Muslim League, All-India Muslim Conference, All-Parties Muslim Conference, Jamiat-ul-Ulema and the Khilafat Conference. The demands were substantially the same. It would suffice to state those that were formulated by Mr. Jinnah²⁶ on behalf of the Muslim League.

They were in the following terms :—

1. The form of the future Constitution should be federal with residuary powers vested in the provinces.
2. A uniform measure of autonomy should be granted to all provinces.
3. All legislatures in the country and other elected bodies should be reconstituted on the definite principle of adequate and effective representation of minorities in every province without reducing the majority of any province to a minority or even equality.
4. In the Central Legislature, Muslim representation should not be less than one-third.
5. The representation of communal groups should continue to be by means of separate electorates as at present, provided that it should be open to any community at any time to abandon its separate electorate in favour of joint electorates.
6. Any territorial redistribution that might at any time be necessary should not in any way affect the Muslim majority in the Punjab, Bengal and North-West Province.
7. Full religious liberty, that is, liberty of belief, worship, observances, propaganda, association and education should be guaranteed to all communities.
8. No bill or resolution, or any part thereof, should be passed in any

legislature or any other elected body if three-fourths of the members of any community in that particular body oppose such bill or resolution or part thereof on the ground that it would be injurious to the interests of that community or, in the alternative, such other method as may be devised or as may be found feasible and practicable to deal with such cases.

9. Sind should be separated from the Bombay Presidency.
10. Reforms should be introduced in the North-West Frontier Province and Baluchistan on the same footing as in other provinces.
11. II. Provision should be made in the Constitution giving the Muslims an adequate share along with other Indians in all the Services of the State and in self-governing bodies, having due regard to the requirements of efficiency.
12. The constitution should embody adequate safeguards for the protection of Muslim religion, culture and personal law, and the promotion of Muslim education, language, religion, personal laws, Muslim charitable institutions, and for their due share in grants-in-aid given by the State and by self-governing bodies.
13. No Cabinet, either Central or Provincial, should be formed without there being a proportion of Muslim Ministers of at least one-third.
14. No change to be made in the Constitution by the Central Legislature except with the concurrence of the States constituting the Indian Federation.
15. That in the present circumstances the representation of Musalmans in the different legislatures of the country and of the other elected bodies through separate electorates is inevitable, and, further, Government being pledged not to deprive the Musalmans of this right, it cannot be taken away without their consent, and so long as the Musalmans are not satisfied that their rights and interests are safeguarded in the manner specified above (or herein) they would in no way consent to the establishment of joint electorates with or without conditions.

*Note:—*The question of excess representation of Musalmans over and above their population in the provinces where they are in minority to be considered hereafter.

This is a consolidated statement of Muslim demands. In it there are some which are old, and some which are new. The old ones are included because the aim is to retain the advantages accruing therefrom. The new ones are added in order to remove the weaknesses in the Muslim position. The new ones are five in number: (1) Representation in proportion to population to

Muslim majorities in the Punjab and Bengal, (2) One-third representation to Muslims in the cabinets both Central and Provincial, (3) Adequate representation of Muslims in the Services, (4) Separation of Sind from the Bombay Presidency and the raising of N.-W. F. P. and Baluchistan to the status of self-governing provinces, and (5) Vesting of residuary powers in the provinces instead of in the Central Government.

These new demands are self-explanatory except perhaps 1, 4 and 5. The object of demands 1 and 4 was to place, in four provinces, the Muslim community in a statutory majority where it had only communal majority, as a force counteracting the six provinces in which the Hindu community happened to be in a majority. This was insisted upon as a guarantee of good treatment by both the communities of its minorities. The object of demand No. 5 was to guarantee Muslim rule in Sind, N.-W. F. P., the Punjab and Bengal. But a Muslim majority rule in these Muslim Provinces, it was feared, would not be effective if they remained under the control of the Central Government which could not but be in the hand of the Hindus. To free the Muslim Provinces from the control of the Hindu Government at the Centre was the object for which demand No. 5 was put forth.

These demands were opposed by the Hindus. There may not be much in this. But what is significant is that they were also rejected by the Simon Commission. The Simon Commission, which was by no means unfriendly to the Muslims, gave some very cogent reasons for rejecting the Muslim demands. It said ²⁷ :—

" This claim goes to the length of seeking to preserve the full security for representation now provided for Muslims in these six provinces and at the same time to enlarge in Bengal and the Punjab the present proportion of seats secured to the community by separate electorates to figures proportionate to their ratio of population. This would give Muhammadans a fixed and unalterable majority of the general constituency seats in both provinces. We cannot go so far. The continuance of the present scale of weightage in the six provinces could not—in the absence of a new general agreement between the communities—equitably be combined with so great a departure from the existing allocation in Bengal and the Punjab.

" It would be unfair that Muhammadans should retain the very considerable weightage they enjoy in the six provinces, and that there should at the same time be imposed, in face of Hindu and Sikh opposition, a definite Muslim majority in the Punjab and Bengal unalterable by any appeal to the electorate..... "

'Notwithstanding the opposition of the Hindus and the Sikhs and the rejection by the Simon Commission, the British Government when called

upon to act as an arbiter granted the Muslims all their demands old and new.

By a Notification ²⁸ in the *Gazette of India* 25th January 1932 the Government of India, in exercise of the powers conferred by sub-section (2) of section 52 A of the Government of India Act, 1916, declared that the N.-W. F. Province shall be treated as a Governor's Province. ²⁹ By an Order in Council, issued under the provisions contained in sub-section (1) of section 289 of the Government of India Act of 1935, Sind was separated from Bombay as from 1st April 1936 and declared to be a Governor's Province to be known as the province of Sind. By the Resolution issued by the Secretary of State for India and published on 7th July 1934 the Muslim share in the public services was fixed at 25 per cent. of all appointments Imperial and Provincial. With regard to residuary powers, it is true that the Muslim demand that they should be vested in the Provinces was not accepted. But in another sense the Muslim demand in this respect may be deemed to have been granted. The essence of the Muslim demand was that the residuary powers should not be vested in the Centre, which, put in different language, meant that they should not be in the hands of the Hindus. This is precisely what is done by section 104 of the Government of India Act, 1935, which vests the residuary powers in the Governor-General to be exercised in his discretion. The demand for 33 1/3 per cent. representation in the Cabinets, Central and Provincial, was not given effect to by a legal provision in the Act. The right of Muslims to representation in the Cabinets was however accepted by the British Government and provision for giving effect to it was made in the Instruments of Instructions issued to the Governors and Governor-General. As to the remaining demand which related to a statutory majority in the Punjab and Bengal, the demand was given effect to by the Communal Award. True, a statutory majority in the whole House has not been given to the Muslims and could not be given having regard to the necessity for providing representation to other interests. But a statutory majority as against Hindus has been given to the Muslims of the Punjab and Bengal without touching the weightages obtained by the Muslim minorities under the Lucknow Pact.

These political grants to the Muslim community by the British Government lacked security and it was feared by the Muslims that pressure might be brought upon them or upon His Majesty's Government by the Hindus to alter the terms of the grants to the prejudice of the Muslims. This fear was due to two reasons. One was the success of Mr. Gandhi in getting that part of the Award which related to the Depressed Classes revised by means of the pressure of a fast unto death. ³⁰ Some people encouraged by this success actually agitated for revision of that part of the Award which related to the Muslims and some Muslims were even found to be in favour of entering into

such negotiations³¹. This alarmed the Muslim community. The other reason for the fear of the revision of the terms of the grants arose out of certain amendments in the clauses in the Government of India Bill which were made in the House of Commons permitting such revision under certain conditions. To remove these fears and to give complete security to the Muslims against hasty and hurried revision of the grants, His Majesty's Government authorized the Government of India to issue the following communiqué³² :—

" It has come to the notice of His Majesty's Government that the impression is prevalent that what is now Clause 304 of the Government of India Bill (numbered 285 in the Bill as first introduced and 299 in the Bill as amended by the Commons in Committee) has been amended during the passage of the Bill through the Commons in such a way as to give His Majesty's Government unfettered power to alter at any time they may think fit the constitutional provisions based upon what is commonly known as Government's Communal Award.

" His Majesty's Government think it desirable to give the following brief explanation both of what they consider is the practical effect of Clause 304 in relation to any change in the Communal Award and of their own policy in relation to any such change.

- "Under this Clause there is conferred on the Governments and Legislatures in India, after the expiry of ten years, the right of initiating a proposal to modify the provisions and regulating various matters relating to the constitution of the Legislature, including such questions as were covered by the Communal Award.

"The Clause also imposes on the Secretary of State the duty of laying before Parliament from the Governor-General or the Governor as the case may be his opinion as to the proposed amendment and in particular as to the effect which it would have on the interests of any minority and of informing Parliament of any action which he proposed to take.

"Any change in the constitutional provisions resulting from this procedure can be effected by an Order in Council, but this is subject to the proviso that the draft of the proposed Order has been affirmatively approved by both Houses of Parliament by a resolution. The condition is secured by Clause 305 of the Bill.

" Before the expiry of ten years there is no similar constitutional initiative residing in the Governments and the Legislatures of India. Power is, however, conferred by the Clause to make such a change by an Order in Council (always with the approval of both Houses of Parliament) even before the end of ten years, but within the first ten years (and indeed subsequently, if the initiative has not come from the Legislatures of India) it

is incumbent upon the Secretary of State to consult the Governments and the Legislatures of India who will be affected (unless the change is of a minor character) before any Order in Council is laid before Parliament for its approval.

" The necessity for the powers referred to in the preceding paragraph is due to such reasons as the following :—

" (a) It is impossible to foresee when the necessity may arise for amending minor details connected with the franchise and the constitution of legislatures, and for such amendment it will be clearly disadvantageous to have no method available short of a fresh amending Act of Parliament, nor is it practicable statutorily to separate such details from the more important matter such as the terms of the Communal Award;

" (b) It might also become desirable, in the event of a unanimous agreement between the communities in India, to make a modification in the provisions based on the Communal Award ; and for such an agreed change it would also be disadvantageous to have no other method available than an amending Act of Parliament.

" Within the range of the Communal Award His Majesty's Government would not propose, in the exercise of any power conferred by this Clause, to recommend to Parliament any change unless such changes had been agreed to between the communities concerned.

" In conclusion. His Majesty's Government would again emphasise the fact that none of the powers in Clause 304 can, in view of the provisions in Clause 305, be exercised unless both Houses of Parliament agreed by an affirmative resolution."

.After taking into account what the Muslims demanded at the R. T. C. and what was conceded to them, any one could have thought that the limit of Muslim demands was reached and that the 1932 settlement was a final settlement. But, it appears that even with this the Musalmans are not satisfied. A further list of new demands for safeguarding the Muslim position seems to be ready. In the controversy that went on between Mr. Jinnah and the Congress in the year 1938, Mr. Jinnah was asked to disclose his demands which he refused to do. But these demands have come to the surface in the correspondence that passed between Pandit Nehru and Mr. Jinnah in the course of the controversy and they have been tabulated by Pandit Nehru in one of his letters to Mr. Jinnah. His tabulation gives the following items as being matters of disputes and requiring settlement ³³ :—

(1) The fourteen points formulated by the Muslim League in 1929.

(2) The Congress should withdraw all opposition to the Communal Award

and should not describe it as a negation of nationalism.

- (3) The share of the Muslims in the state services should be definitely fixed in the constitution by statutory enactment.
- (4) Muslim personal law and culture should be guaranteed by statute.
- (5) The Congress should take in hand the agitation in connection with the Sahidganj Mosque and should use its moral pressure to enable the Muslims to gain possession of the Mosque.
- (6) The Muslims' right to call Azan and perform their religious ceremonies should not be fettered in any way.
- (7) Muslims should have freedom to perform cow-slaughter.
- (8) Muslim majorities in the Provinces, where such majorities exist at present, must not be affected by any territorial re-distribution or adjustments.
- (9) The 'Bande Mataram' song should be given up.
- (10) Muslims want Urdu to be the national language of India and they desire to have statutory guarantees that the use of Urdu shall not be curtailed or damaged.
- (11) Muslim representation in the local bodies should be governed by the principles underlying the Communal Award, that is, separate electorates and population strength.
- (12) The tricolour flag should be changed or alternately the flag of the Muslim League should be given equal importance.
- (13) Recognition of the Muslim League as the one authoritative and representative organization of Indian Muslims.
- (14) Coalition Ministries should be formed.

With this new list, there is no knowing where the Muslims are going to stop in their demands. Within one year, that is, between 1938 and 1939, one more demand and that too of a substantial character, namely 50 per cent. share in every thing, has been added to it. In this catalogue of new demands there are some which on the face of them are extravagant and impossible, if not irresponsible. As an instance, one may refer to the demand for fifty-fifty and the demand for the recognition of Urdu as the national language of India. In 1929, the Muslims insisted that in allotting seats in Legislatures, a majority shall not be reduced to a minority or equality.³⁴ This principle, enunciated by themselves, it is now demanded, shall be abandoned and a majority shall be reduced to equality. The Muslims in 1929 admitted that the other minorities required protection and that they must have it in the same manner as the Muslims. The only distinction made between the Muslims and other minorities was as to the extent of the protection. The Muslims claimed a higher degree of protection than was conceded to the other minorities on the ground of their

political importance. The necessity and adequacy of protection for the other minorities the Muslims never denied. But with this new demand of 50 per cent. the Muslims are not only seeking to reduce the Hindu majority to a minority but they are also cutting into the political rights of the other minorities. The Muslims are now speaking the language of Hitler and claiming a place in the sun as Hitler has been doing for Germany. For their demand for 50 per cent. is nothing but a counterpart of the German claims for *Deutschland Uber Alles and Lebensraum for Themselves*, irrespective of what happens to other minorities.

Their claim for the recognition of Urdu as the national language of India is equally extravagant. Urdu is not only not spoken all over India but is not even the language of all the Muslims of India. Of the 68 millions of Muslims³⁵ only 28 millions speak Urdu. The proposal of making Urdu the national language means that the language of 28 millions of Muslims is to be imposed particularly upon 40 millions of Muslims or generally upon 322 millions of Indians.

It will thus be seen that every time a proposal for the reform of the constitution comes forth, the Muslims are there, ready with some new political demand or demands. The only check upon such indefinite expansion of Muslim demands is the power of the British Government, which must be the final arbiter in any dispute between the Hindus and the Muslims. Who can confidently say that the decision of the British will not be in favour of the Muslims if the dispute relating to these new demands was referred to them for arbitration? The more the Muslims demand the more accommodating the British seem to become. At any rate, past experience shows that the British have been inclined to give the Muslims more than what the Muslims had themselves asked. Two such instances can be cited.

One of these relates to the Lucknow Pact. The question was whether the British Government should accept the Pact. The authors of the Montagu-Chelmsford Report were disinclined to accept it for reasons which were very weighty. Speaking of the weightages granted to the Muslims by the Lucknow Pact, the authors' of the Joint Report observed³⁶ :—

" Now a privileged position of this kind is open to the objection, that if any other community here after makes good a claim to separate representation, it can be satisfied only by deducting the non-Muslim seats, or by a rateable deduction from both Muslim and non-Muslim ; and Hindu and Muslim opinion are not likely to agree which process should be adopted. While, therefore, for reasons that we explain subsequently we assent to the maintenance of separate representation for Muhammadans, we are bound to reserve our approval of the particular proposals set before us, until we

have ascertained what the effect upon other interests will be, .. and have made fair provision for them."

Notwithstanding this grave flaw in the Lucknow Pact, the Government of India, in its despatch referred to above, recommended that the terms of the Pact should be improved in so far as it related to the Muslims of Bengal. Its reasons make a strange reading. It argued that :—

" The Muhammadan representation which they the authors of the Pact] propose for Bengal is manifestly insufficient It is questionable whether the claims of the Muhammadan population of Eastern Bengal were adequately pressed when the Congress-League compact was in the making. They are conspicuously a backward and impoverished community. The repartition of the presidency in 1912 came as a severe disappointment to them, and we should be very loath to fail in seeing that their interests are now generously secured. In order to give the Bengal Muslims a representation proportionate to their numbers, and no more, we should allot them 44 instead of 34 seats [due to them under the Pact]."

This enthusiasm for the Bengal Muslims shown by the Government of India was not shared by the British Government It felt that as the number of seats given to the Bengal Muslims was the result of an agreement, any interference to improve the bargain when there was no dispute about the genuineness of the agreement, could not but create the impression that the British Government was in some special sense and for some special reason the friend of the Muslims. In suggesting this augmentation in the seats, the Government of India forgot to take note of the reason why the Muslims of the Punjab and Bengal were not given by the Pact seats in proportion to their population. The Lucknow Pact was based upon the principle, now thrown to the winds, that a community as such was not entitled to political protection. A community was entitled to protection when it was in a minority. That was the principle underlying the Lucknow Pact. The Muslim community in the Punjab and Bengal was not in a minority and, therefore, was not entitled to the same protection which it got in other Provinces where it was in a minority. Notwithstanding their being in a majority, the Muslims of the Punjab and Bengal felt the necessity of separate electorates. According to the principle underlying the Pact they could qualify themselves for this only by becoming a minority which they did by agreeing to a minority of seats. This is the reason why the Muslims of Bengal and the Punjab did not get the majority of seats they were entitled to on the population basis.³⁷

The proposal of the Government of India to give to the Bengal Muslims more than what they had asked for did not go through. But the fact that they wanted to do so remains as evidence of their inclinations.

The second occasion when the British Government as an arbiter gave the Muslims more than they asked for was when the Communal Decision was given in 1932. Sir Muhammad Shafi made two different proposals in the Minorities Sub-Committee of the R. T. C. In his speech on 6th January 1931, Sir Muhammad Shafi put forth the following proposal as a basis for communal settlement ³⁸:—

" We are prepared to accept joint electorates on the conditions named by me : Firstly, that the rights at present enjoyed by the Musalmans in the minority Provinces should be continued to them; that in the Punjab and in Bengal they should have two joint electorates and representation on a population basis; that there should be the principle of reservation of seats coupled with Maulana Mahomed Ali's condition. ³⁹

In his speech on 14th January 1931 before the same Committee he made a different offer. He said ⁴⁰ :—

" To-day I am authorized to make this offer : that in the Punjab the Musalmans should have through communal electorates 49 per cent. of the entire number of seats in the whole House, and should have liberty to contest the special constituencies which it is proposed to create in that Province : so far as Bengal is concerned that Musalmans should have through communal electorates 46 percent, representation in the whole House, and should have the liberty to contest the special constituencies which it is proposed to create in that Province; in so far as the minority Provinces are concerned, the Musalmans should continue to enjoy the weightage which they have at present through separate electorates, similar weightage to be given to our Hindu brethren in Sind, and to our Hindu and Sikh brethren in the North-West Frontier Province. If at any time hereafter two-thirds of the representatives of any community in any Provincial Legislative Council or in the Central Legislative Council desire to give up communal electorates and to accept joint electorates then there after the system of joint electorates should come into being."

The difference between the two proposals is clear. "Joint electorates, if accompanied by statutory majority. If statutory majority was refused, then a minority of seats with separate electorates." The British Government took statutory majority from the first demand and separate electorates from the second demand and gave the Muslims both when they had not asked for both.

The second thing that is noticeable among the Muslims is the spirit of exploiting the weaknesses of the Hindus. If the Hindus object to anything, the Muslim policy seems to be to insist upon it and give it up only when the Hindus show themselves ready to offer a price for it by giving the Muslims

some other concessions. As an illustration of this, one can refer to the question of separate and joint electorates. The Hindus have been to my mind utterly foolish in fighting over joint electorates especially in Provinces in which the Muslims are in a minority. Joint electorates can never suffice for a basis for nationalism. Nationalism is not a matter of political nexus or cash nexus, for the simple reason that union cannot be the result of calculation of mere externals. Where two communities live a life which is exclusive and self-enclosed for five years, they will not be one, because, they are made to come together on one day in five years for the purposes of voting in an election. Joint electorates may produce the enslavement of the minor community by the major community : but by themselves they cannot produce nationalism. Be that as it may, because the Hindus have been insisting upon joint electorates the Muslims have been insisting upon separate electorates. That this insistence is a -matter of bargain only can be seen from Mr. Jinnah's 14 points ⁴¹ and the solution ⁴² passed in the Calcutta session of the All-India Muslim League held on 30th December 1927. Therein it was stipulated that only when the Hindus agreed to the separation of Sind and to the raising of the N.-W. F. P. to the status of a self-governing Province the Musalmans would consent to give up separate electorates. ⁴³ The Musalmans evidently did not regard separate electorates as vital. They regarded them as a good *quid pro quo* for obtaining their other claims.

Another illustration of this spirit of exploitation is furnished by the Muslim insistence upon cow-slaughter and the stoppage of music before mosques. Islamic law does not insist upon the slaughter of the cow for sacrificial purposes and no Musalman, when he goes to Haj, sacrifices the cow in Mecca or Medina. But in India they will not be content with the sacrifice of any other animal. Music may be played before a mosque in all Muslim countries without any objection. Even in Afghanistan, which is not a secularized country, no objection is taken to music before a mosque. But in India the Musalmans must insist upon its stoppage for no other reason except that the Hindus claim a right to it.

The third thing that is noticeable is the adoption by the Muslims of the gangster's method in politics. The riots are a sufficient indication that gangsterism has become a settled part of their strategy in politics. They seem to be consciously and deliberately imitating the Sudeten Germans in the means employed by them against the Czechs. ⁴⁴ So long as the Muslims were the aggressors, the Hindus were passive, and in the conflict they suffered more than the Muslims did. But this is no longer true. The Hindus have learned to retaliate and no longer feel any compunction in knifing a Musalman. This spirit of retaliation bids fair to produce the ugly spectacle of

gangsterism against gangsterism.

How to meet this problem must exercise the minds of all concerned. There are the simple-minded Hindu Maha Sabha patriots who believe that the Hindus have only to make up their minds to wipe the Musalmans and they will be brought to their senses. On the other hand, there are the Congress Hindu Nationalists whose policy is to tolerate and appease the Musalmans by political and other concessions, because they believe that they cannot reach their cherished goal of independence unless the Musalmans back their demand. The Hindu Maha Sabha plan is no way to unity. On the contrary, it is a sure block to progress. The slogan of the Hindu Maha Sabha President—Hindustan for Hindus—is not merely arrogant but is arrant nonsense. The question, however, is : is the Congress way the right way ? It seems to me that the Congress has failed to realize two things. The first thing which the Congress has failed to realize is that there is a difference between appeasement and settlement, and that the difference is an essential one. Appeasement means buying off the aggressor by conniving at his acts of murder, rape, arson and loot against innocent persons who happen for the moment to be the victims of his displeasure. On the other hand, settlement means laying down the bounds which neither party to it can transgress. Appeasement sets no limits to the demands and aspirations of the aggressor. Settlement does. The second thing the Congress has failed to realize is that the policy of concession has increased Muslim aggressiveness, and what is worse, Muslims interpret these concessions as a sign of defeatism on the part of the Hindus and the absence of the will to resist. This policy of appeasement will involve the Hindus in the same fearful situation in which the Allies found themselves as a result of the policy of appeasement which they adopted towards Hitler. This is another malaise, no less acute than the malaise of social stagnation. Appeasement will surely aggravate it. The only remedy for it is a settlement. If Pakistan is a settlement, it is a proposition worth consideration. As a settlement it will do away with this constant need of appeasement and ought to be welcomed by all those who prefer the peace and tranquillity of a settlement to the insecurity due to the growing political appetite shown by the Muslims in their dealings with the Hindus.

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